

South Precinct Email Community Newsletter

April 18, 2007



Dear Community Friends,

Crime Terminology

Here's a summation of a number of conversations I've had:

Crime Victim (CV): *I've been robbed!*

Mark (M): Really? Tell me what happened.

CV: *Well, I went to the store and someone came in through the garage and robbed me. They took my laptop and some jewelry. In broad daylight!*

M: Actually, you weren't robbed. You were burglarized.

CV: *What? What difference does it make? Someone stole my stuff!*

M: Okay, on that we can agree.

The reason I point this out is because for law enforcement, there is a difference between Robbery, Home Invasion Robbery, Burglary, Trespass and Theft. When you talk to law enforcement or call 911, the language you use makes a difference. So, with that introduction out of the way, I'm going to give you the plain language definitions of each term.

Trespass is when someone enters physical property, not his or her own, without permission. It could be a parking lot, a business, or somebody's yard. If that person does not have permission to go there, or has not been given implicit permission because of the type of business (a fast food place, for example) the person is trespassing. If the person is told they are trespassing and is asked to leave, if they refuse to leave, that person can be arrested for trespassing.

Burglary is when someone enters physical property, not his or her own, without permission, with the intent to commit a crime. The crime could be to take belongings from the property (i.e. theft), or against a person within the property (i.e. assault). This could be a residence (residential burglary), a place of business (commercial burglary), a detached storage shed or garage (kinda counts as residential), or even a public storage unit or storage yard (kinda more commercial). It doesn't matter if force is used to gain entry, if someone was home at the time (in the case of a residential burglary) and it doesn't matter if something is stolen. The unlawful entry of the property with intent to commit a crime is burglary. For the record, most residential burglaries occur during the day, (when most folks are away at work) and most commercial burglaries occur at night (when most workers are at their residence).

Robbery is the physical taking of property from another individual by the use of force or the implied use of force. An example would be a lady walking down the street and someone comes up from behind, grabs her purse off of her shoulder, and though the lady tries to hang on, the purse is taken anyway; that is a strong-arm robbery, better known as a purse snatch. Say a guy is walking down the street and another guy comes up to him and says, "give me your wallet," while showing a knife or other weapon. That's an armed robbery, whether the weapon was used or not. The physical taking of another person's property through force - or implied use of force - is robbery, whether a weapon is used or not. Use or implication of a weapon just helps us categorize the "type" of robbery.

Theft is when property is taken, period. Shoplift (taking something from a store without paying for it), auto theft and auto accessory theft (car stereo/CD player) are examples of theft. One form of theft frequently happens when we go shopping and we leave our belongings (purse, backpack, wallet) unattended. While we're busy looking on the bottom shelf for the least expensive oatmeal, someone has taken the purse or backpack, or taken something out of the purse or backpack (wallet, cell phone) without permission, or knowledge, or direct threat or actual use of force. No one implied a threat or used force to take it from you; no one entered your home or place of business to get it; it was there and they took it. That's theft.

Home Invasion Robbery is a whole different kind of critter. A home invasion robbery is when the perpetrators enter the home with the intent of finding someone there. The perpetrators use weapons and (often) actual violence to get the people in the home to give them money, jewelry and other belongings. Household members in the home are often restrained, threatened and beaten, and they are often told that if they report the crime to the police, they will be killed. This is a scary type of occurrence. Thankfully, it is also extremely rare, which is why it gets so much media attention when it happens.

The term “Home Invasion Robbery” is more of a media creation rather than an actual crime, but the term has been widely adopted. If the perpetrators unlawfully enter the property, the crime is primarily a burglary. However, the introduction of guns or other dangerous weapons by the perpetrators, and the threat or use of those weapons, allow the crime to be charged as both burglary and robbery in many cases. If weapons are used, there is a weapons enhancement added at sentencing (which means the suspects will do more time if convicted), and a firearms enhancement if a gun was used – an automatic five year additional sentence if convicted.

So, when you call 911 to report a crime, or you talk to police officers about a crime, be sure as to which crime you’re talking about. If someone entered your residence without your permission sometime over the weekend while you were out of town, don’t call in saying you had a Home Invasion Burglary. No, you had a burglary. If someone takes a shopping bag from your car while you were in The Mall doing some more shopping, don’t call 911 to report you were robbed. No, you had a theft.

I hope this clears things up a bit.

Until next time, Take Care and Stay Safe!

Mark Solomon, South Precinct Crime Prevention Coordinator